

SUBJECTS
PART I

BLANK ROME LLP
Attorneys for Plaintiff
LeRoy Lambert (LL 3519)
Jack A. Greenbaum (JG 0039)
405 Lexington Avenue
New York, NY 10174
(212) 885-5000

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NOUR SHIPPING LIMITED,

Plaintiff,

v.

TKB SHIPPING A/S, a/ka TK BOSEN
SHIPPING A/S,

Defendant.

08 Civ.

ORDER OF SEALING

Upon reading the Declaration of Jack A. Greenbaum in support of Plaintiff's application to file under seal the Verified Complaint and all papers submitted with or upon Plaintiff's application for an Order for Issuance of Maritime Attachment and Garnishment pursuant to F. R. Civ. P. Supplemental Rule B, it is

ORDERED, pursuant to F. R. Civ. P. Rule 5.2(d) that the Complaint and all papers submitted with or upon Plaintiff's application for an Order for Issuance of Maritime Attachment and Garnishment shall be filed under seal and shall remain under seal until the further order of this Court, and that appropriately redacted copies of the Verified Complaint and other papers in connection with the Order for Issuance of Maritime Attachment, also be filed with the Clerk of

this Court,

Dated: June 17, 2008

provided, however, that the plaintiff shall file redacted copies of the all papers with the Clerk redacting the name of the defendant, the vessel, and any identifying information.

[Signature]
UNITED STATES DISTRICT JUDGE

PART I

BLANK ROME LLP
Attorneys for Plaintiff
LeRoy Lambert (LL 3519)
Jack A. Greenbaum (JG 0039)
405 Lexington Avenue
New York, NY 10174
(212) 885-5000

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NOUR SHIPPING LIMITED,

Plaintiff,

v.

TKB SHIPPING A/S, a/ka TK BOSEN
SHIPPING A/S,

Defendant.

08 Civ.

**DECLARATION IN SUPPORT OF EX
PART MOTION TO FILE ACTION UNDER
SEAL**

JACK A. GREENBAUM deposes and says:

1. I am a member of the firm of Blank Rome, LLP, attorneys for the Plaintiff in this matter. This Declaration is submitted in support of Plaintiff's ex parte motion to file the action under seal, pursuant to F. R. Civ. P. Rule 5.2(d).
2. This is an action to obtain a maritime attachment of the Defendant's assets, pursuant to Supplemental Rule B of the F. R. Civ. P. In particular, Plaintiff expects to attach electronic fund transfers to or from Defendant while such funds are in the custody of intermediary banks located in New York City.
3. Applications for Rule B attachments are permitted to be made *ex parte* because it would be self-defeating to apprise a defendant of the pendency of an attachment action, and thereby enable a defendant to keep its assets outside of the jurisdiction for the purpose of avoiding the attachment. In the case of electronic fund transfers, a defendant who is aware of an

attachment action can arrange to have funds transferred in the names of related companies in order to avoid the attachment.

4. Recently, a widely read international shipping trade publication, Tradewinds, has begun publishing articles about specific maritime attachment actions it considers to be of interest. Such filings are available to Tradewinds on the Court's on-line docket system, Pacer, as well as from an e-mail service that reports all new filings in this Court. Additionally, New York maritime lawyers subscribe to those e-mail reports, and often apprise clients or former clients of newly filed attachment actions against them.

5. Such publication of specific attachment actions by Tradewinds and by the e-mail reporting service defeats the purpose of the *ex parte* nature of a maritime attachment action. Therefore, in order to avoid, or defer, giving Defendant notice of this action through such publication, it is requested that the Complaint and all related documents in support of the application for an Order for the issuance of Process of Maritime Attachment and Garnishment be filed under seal, and that redacted copies of the Verified Complaint and other documents deleting the parties' names and other identifying information be filed with the Clerk of the Court. It is requested that the sealed documents remain under seal until such time as Defendant's funds are restrained and Plaintiff provides Defendant notice of such restraint pursuant to the requirements of Supplemental Rule B.

I declare under penalty of perjury that the foregoing is true and correct.

Executed at New York, N. Y. on June 17, 2008


JACK A. GREENBAUM (JG-0039)